

AGENDA
SAN DIEGO COUNTY PLANNING COMMISSION
REGULAR MEETING
Friday, November 18, 2005, 9:00 AM
DPLU Hearing Room
5201 Ruffin Road, Suite B, San Diego, California

Documents to be considered as evidence shall be filed with the Secretary of the Planning Commission not later than one week prior to when the item to which they relate is scheduled to be considered. The Planning Commission may, however, receive into evidence for good cause shown, or impose reasonable conditions on, late-filed documents.

Note: The aforementioned does not apply to materials that are presented at the meeting as part of a visual presentation.

- A. ROLL CALL**
- B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of September 30, 2005**
- C. Public Communication:** Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.
- D. Formation of Consent Calendar**

Agenda Items

- 1. Casa de Rio Vista, LLC; Condominium Conversion and Zone Reclassification, Tentative Map (TM) 5439 and Rezone R05-016, Ramona Community Plan Area (Sloan)**

This is a request for a Zone Reclassification and a Tentative Map for a condominium conversion. The project proposes to convert an existing 12-unit apartment complex into a 12-unit condominium complex. The Zone Reclassification proposes a change in the Open Space Designator from "G" to "F", which will allow the project to conform to the Site Plan (S00-013) that was approved and to be in conformance with the Zoning Ordinance requirements for open space. The "G" Designator requires 100 square feet of private open space per unit and 500 square feet of group usable open space per unit whereas the "F" requires 100 square feet of private open space per unit and 150 square feet of group usable open space per unit. The subject property measures 0.64 acres in size and is in the Current Urban Development Area (CUDA) Regional Category

and the (11) Office-Professional Land Use Designation of the General Plan. The site is zoned C31 (Residential-Office Professional, 24 dwelling units/acre) and is located at 115 6th Street.

2. **Jim Schmidt, Club Vantaggio Partners, LLC; TM 5353RPL/S04-003/R04-002, North County Metropolitan Subregional Planning Area (Caldwell)**

The project proposes to redevelop the existing 7.04-acre Lake San Marcos Commercial Centre into a mixed-use project combining residential and commercial uses. The five proposed residential structures on Lot 1 will provide 150 condominium units. The four proposed commercial structures on Lot 2 will provide commercial services for the condominium residents. The site is located within the (1.1) Current Urban Development Area (CUDA) Regional Category and the (14) Service Commercial Land Use Designation of the General Plan. A zoning change from (C36) Commercial General to (C34) General Commercial – Residential Use Regulations is requested to allow the development of residential units. Change has also been requested in the Height Designator from “G” (2-story, 35 feet) to “M” (45 feet high, no story limit), and a change in the Building Type Designator from “W” to “L” to allow the inclusion of residential building types. The proposed buildings are 3-stories and approximately 36 feet high. Exterior elements above the exit stairs will extend to the height of 44 feet. A 22,680 square foot freestanding 2-story building will provide offices, dining facilities, and a multi-purpose room on Lot 1 to serve the residents of the condominiums. The project will be accessed via an existing private road, La Bonita Drive, along the east side of the project site. The project site is located in the Lake San Marcos Community off of Rancho Santa Fe Road south of State Route 78 at the southwest corner of Lake San Marcos Drive and San Marino Drive.

3. **Lakeside Investment Company; Tentative Map (TM) 5203 Time Extension: Lakeside Community Plan Area (Gowens)**

Request for administrative approval of a Tentative Map Time Extension for an approved subdivision map which proposes 143 residential lots and 2 industrial lots on 37.05 gross acres located west of Marjean Way between El Nopal and Mast Boulevard.

4. **Larissa Cham Major Subdivision; Tentative Map (TM 5246RPL²), Lakeside Community Planning Area (Beddow)**

The proposed project is a major subdivision of approximately 4.65 net acres into 15 lots ranging in size from 10,045 square feet (net) to 11, 539 square feet (net). The site is within the Current Urban Development Area (CUDA) Regional Category and is subject to the (5) Residential (4.3 dwelling units per acre) General Plan Land Use Designation of the Lakeside Community Planning area. The proposed project is under the RV4 (Variable Family Residential) and RS4 (Single-Family Residential) Use Regulations, with a minimum lot size of 10,000

square feet. The site is located at 8658 Winter Gardens Boulevard north of Sapota Drive.

5. **Vladimir Safonoff; Appeal of Denial for Tentative Parcel Map (TPM) 20874, Fallbrook Community Planning Area (Stevenson)**

This is an appeal of a decision by the Director of Planning and Land Use to disapprove Tentative Parcel Map 20874RPL¹. The project proposes to subdivide 3.11 acres into 4 residential parcels. The minimum net area of the proposed parcels is 0.5 acres. The project site is subject to the (3) Urban Residential Land Use Designation and RR2 Rural Residential Use Regulations. The project is located at 4040 Pala Mesa Drive.

6. **Oak Country Estates: General Plan Amendment GPA 05-007; Specific Plan SP 01-002; Zone Reclassification R03-011; Tentative Map 5253RPL⁵, Administrative Permit AD 05-043; Ramona Community Planning Area (Muto)**

The Oak Country Estates project consists of a General Plan Amendment, Specific Plan, Rezone, Tentative Map and Administrative Permit that would allow a 57-lot subdivision on 768.5 acres located northwest of the intersection of Highland Valley Road and Rangeland Drive in the Ramona Community Planning Area. Residential lots are clustered on the western portion of the site, ranging in size from 2 to 40 acres. The development footprint impacts approximately 220.3 acres of the site. Open space is proposed for 485.2 acres, 279.6 acres of which would be preserved in dedicated open space easements. The General Plan Amendment proposes to amend the Ramona Community Plan to reduce the density of the applicable (21) Specific Plan Area Land Use Designation from 0.13 to 0.10 dwelling units per acre, reduce the minimum lot size within the Specific Plan from 6.0 to 2.0 acres, and to allow recreational uses throughout the planning area instead of restricting them to the Santa Maria Creek floodplain. The Oak Country Estates Specific Plan covers approximately 647 acres of the 768.5-acre project site and provides for 52 of the 57 residential lots on approximately 163 acres of land; 63.1 acres are designated as future planning area, and approximately 392 acres are designated as open space. The Rezone of the Oak Country Estates Specific Plan area would establish a density and minimum lot size consistent with the Specific Plan, provide more restrictive animal regulations (from O to L), and increase rear yard setback requirements (from C to B). A Rezone of the project area that is outside of the Specific Plan, which is zoned with the A70 Use Regulation, would increase minimum lots sizes to 10 and 40 acres, and reduce densities to 0.25 and 0.125 dwelling units per acre. The Tentative Map covers the project area outside of the Specific Plan and western portion of the Specific Plan. The Tentative Map proposes a total of 57 residential lots, four open space lots, 12 private street lots, and three common landscaped lots. The Administrative Permit requires formation of a Homeowners Association, which will take responsibility for the ownership and maintenance of

common lots. Existing regulations include Estate Development Area (EDA), Environmentally Constrained Area (ECA), (20) General Agriculture, and (21) Specific Plan Area designations. In addition, the site is currently zoned with the S88 and A70 regulations.

7. Palisades Estates; Tentative Map (TM) 5158RPL⁵ and Administrative Permit (AD) 99-007, Bonsall Community Planning Area/North County Metropolitan Subregional Planning Area (Stocks)

This is a request to subdivide 383 acres into 36 residential lots ranging in size from 2.19 to 9.68 acres and one open space lot. This project proposes lot area averaging pursuant to Section 4230 of the Zoning Ordinance, which allows some of the lots to be a minimum of two acres. The project site is subject to the (18) Multiple Rural Use Land Use Designation (1 dwelling unit per 4, 8 or 20 acres) and the zoning includes the RR.25 Rural Residential Use Regulations with a minimum lot size of 4 acres. The project is located easterly of the intersection of Elevado Road and Pleasant Heights Road in the area north and east of the City of Vista.

8. Crosby Estates – Emerald Cove; Specific Plan Amendment (SPA) 04-003, Rezone R05-003, Tentative Map (TM) 5393RPL², Site Plan S04-052, San Dieguito Community Planning Area (Stocks)

This is a request for an Amendment to the Santa Fe Valley Specific Plan, a Rezone, Tentative Map and Site Plan to allow the subdivision of approximately 8.67 acres into 30 residential lots. The proposed Specific Plan Amendment allows a transfer of 8 units from Subarea II.16 to Subarea II.30. This change increases the actual density of Subarea II.30 from 2.5 dwelling units per acre to 3.5 dwelling units per acre. In addition, language is proposed to be added that establishes special setback regulations for Subarea II.30. The Rezone is required to account for the change in density for Subareas II.16 and II.30 and to change the Setback Designator from "I" to "V". The "V" Designator allows for variable setbacks based on detailed building footprints illustrated on the Site Plan in accordance with the new regulations to be added to the Specific Plan Text. The Site Plan is intended to implement design standards set forth by Design Special Area Regulations ("D" Designator). The project site is subject to the (21) Specific Plan Area Land Use Designation of the San Dieguito Community Plan and the zoning includes the RS2.5 Single Residential Use Regulations. The project is located north of Top of Morning Way and west of Bing Crosby Boulevard in the Santa Fe Valley Specific Plan.

9. Adult Entertainment Ordinance Amendment; POD 05-056 (Hulse)

This is a request to adopt amendments to the Zoning Ordinance and County of San Diego Administrative Code regarding Adult Entertainment Establishments. On June 14, 2005, the federal district court issued a published opinion, *Fantasyland Video Inc, v. County of San Diego*, 373 F. Supp. 2d 1094 (2005),

which overwhelmingly found in favor of the County's regulations and upheld their constitutionality. However, the Court also found three administrative provisions of the Zoning Ordinance and the Administrative Code to be either redundant or too time consuming. The Court found that: 1) the Administrative Permit process to establish or operate an adult entertainment establishment took too long for issuing the permit in light of the actions necessary to make such a determination; 2) the requirement that each officer, director, general partner or manager must appear in person to file the license application is not necessary to accomplish the purposes of the ordinance; 3) the requirement that each officer, director, general partner or manager obtain both a license to operate an adult entertainment establishment and an "employee license" is redundant.

10. County Counsel's Quarterly Report (Taylor, OCC)

County Counsel's quarterly report to the Commission on legal developments in Planning and Land Use, covering the period July 1, 2005 through September 30, 2005.

Administrative Items

- E. Director's Report.**
- F. Report on actions of Planning Commission's Subcommittees.**
- G. Designation of member to represent Commission at Board of Supervisors.**
- H. Discussion of correspondence received by Planning Commission.**

Department Report

I. Scheduled Meetings.

December 2, 2005	<u>Planning Commission Hearing; 9:00 a.m.</u> <u>DPLU Hearing Room</u>
December 16, 2005	<u>Planning Commission Hearing; 9:00 a.m.</u> <u>DPLU Hearing Room</u>
December 30, 2005	<u>Planning Commission Workshop; 9:00 a.m.</u> <u>DPLU Hearing Room</u>

This Agenda is now available on the County of San Diego's web site at "www.co.san-diego.ca.us". Visit the Department of Planning and Land Use web page at "www.sdcdplu.org".

Adjournment

A proponent or protestant of record may appeal certain decisions of the Planning Commission to the Board of Supervisors (Attn: Clerk of the Board, Room 402, 1600 Pacific Highway, San Diego, CA 92101) accompanied by an appeal fee of \$500.00 (excluding Administrative Appeals).

The time period following the Planning Commission action within which an appeal must be filed is as follows:

Tentative Map Cases, Major Use Permits, Reclamation Plans, Coastal Use Permit Cases, Site Plans required by Specific Plans, Plan Amendment Authorizations-----	Within 10 calendar days after Planning Commission action
Specific Plans, Specific Plan Amendments, Road Matters, Rezones, Agricultural Preserves, Plan Implementation Hearings, General Plan Amendment Hearings-----	No appeal necessary since staff will automatically transmit case to Board of Supervisors.
Administrative Appeals, Variances, Minor Use Permits-----	No appeal possible to Board of Supervisors; Planning Commission action is final.